

Message Text

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70

ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-07 INR-07 LAB-04

NSAE-00 SIL-01 DODE-00 PA-01 USIA-06 PRS-01 SP-02 L-03

DHA-02 /045 W

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P R 132333Z FEB 76

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC PRIORITY 9154

INFO AMEMBASY PANAMA

AMEMBASSY SAN JOSE

AMEMBASSD SAN SALVADOR

AMEMBASSY TEGUCIGALPA

AMEMBASSY GUATEMALA

C O N F I D E N T I A L MANAGUA 0745

E.O. 11652: GDS

TAGS: PINT, NU

SUBJECT: PEDRO JOAQUIN CHAMORRO RELEASED

REF: MANAGUA 0699

1. LA PRENSA PUBLISHER AND LEADING OPPOSITION FIGURE PEDRO JOAQUIN CHAMORRO WAS RELEASED AFTERNOON OF FEBRUARY 12 AFTER SPENDING NIGHT IN JAIL FOLLOWING HIS DETENTION AND FORCIBLE APPEARANCE BEFORE ACOURT OF THE FIRST INSTANCE IN MASAYA (20 MILES FROM MANAGUA). AT THE HEARING, CHAMORRO WAS INFORMED THAT CHAMBER OF DEPUTIES PRESIDENT CORNELIO HUECK HAD CLAIMED THAT HE WAS DEFAMED BY A TELEGRAM AND A LETTER CHAMORRO HAD WRITTEN CONCERNING LA PRENSA REPORTAGE OF A CATTLE-RUSTLING INCIDENT AT HUECK'S RANCH LAST NOVEMBER. CHAMORRO ADMITTED WRITING THE LETTER WHICH HE SAID WAS "EXPLANATORY" RATHER THAN SLANDEROUS, SAID THAT THE TELEGRAM HAD BEEN AUTHORED BY HIS BROTHER WHILE HE (PEDRO) WAS OUT OF THE COUNTRY, AND HELD THAT BOTH MESAGES WERE PRIVATE, RATHER THAN PUBLIC AND THEREFORE HAD NOTHING TO DO WITH THE PUBLICATION OF HIS PAPER AS CHARGED (THE FINE IS INCREASED CONSIDERABLY IF THE MATERIAL IS PUBLISHED). HE ALSO ATTACHED THE COURT'S COMPETENCE

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AND IMPARTIALITY. THE JUDGE MUST NOW DECIDE WHETHER THERE IS

SUFFICIENT MERIT TO CONTINUE THE CASE. ABOUT 500 OF CHAMORRO

FRIENDS AND POLITICAL ALLIES GATHERED IN AND OUTSIDE OF THE
TINY COURTROOM WAITING NEARLY EIGHT HOURS FOR THE HEARING TO
COMMENCE.

2. COMMENT: THE FREEDOM OF THE PRESS ISSUE SEEMS TO BE SOMEWHAT
ATTENUATED BY THE CHARACTER OF THE EVIDENCE PRESENTED. WHAT RE-
MAINS, HOWEVER, COULD BE AN IMPORTANT TEST CONCERNING THE APPLI-
CATION OF A LAW SO BROAD AND VAGUE IN ITS LANGUAGE, THAT IF
RESORTED TO ASSIDUOUSLY BY THOSE HAVING INFLUENCE AT COURT,
COULD EFFECTIVELY CHILL LIBERTY OF EXPRESSION LOCALLY.
THEBERGE

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Message Attributes

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